

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

**NOTICE OF DOCUMENT DISCREPANCIES**

**FILED**

2008 JUL 21 AM 8:26  
Clerk's Office File Stamp

TO: ☐ U. S. DISTRICT JUDGE / ☒ U. S. MAGISTRATE JUDGE  
FROM: L Odierno, Deputy Clerk  
RECEIVED DATE: 7/1/08 BY: William John Daughtery  
CASE NO.: 08cv408-WQH-BLM DOCUMENT FILED BY: William John Daughtery  
CASE TITLE: Daughtery v Wilson et al  
DOCUMENT ENTITLED: Motion and Request for Issuance of Civil Subpoena (Duces Tecum)

Upon the submission of the attached document(s), the following discrepancies are noted:

| <input checked="" type="checkbox"/> Local Rule  | Discrepancy  |
|---|--|
| <input checked="" type="checkbox"/> 5.1         | Missing time and date on motion and/or supporting documentation  |
| <input type="checkbox"/> 5.3                    | Document illegible or submitted on thermal facsimile paper   |
| <input type="checkbox"/> 5.4                    | <b>Document not filed electronically. Notice of Noncompliance already issued.</b>  |
| <input type="checkbox"/> 7.1 or 47.1            | Date noticed for hearing not in compliance with rules/Document(s) are not timely   |
| <input checked="" type="checkbox"/> 7.1 or 47.1 | Lacking memorandum of points and authorities in support as a separate document   |
| <input type="checkbox"/> 7.1 or 47.1            | Briefs or memoranda exceed length restrictions   |
| <input type="checkbox"/> 7.1                    | Missing table of contents  |
| <input type="checkbox"/> 15.1                   | Amended pleading not complete in itself  |
| <input type="checkbox"/> 30.1                   | Depositions not accepted absent a court order  |
| <input type="checkbox"/>                        | Supplemental documents require court order   |
| <input type="checkbox"/>                        | Default Judgment in sum certain includes calculated interest   |
| <input checked="" type="checkbox"/>             | <b>OTHER:</b> <i>Duplicative of separately filed motion and most in light of Case Management Conference Order [Doc. No. 11], which requires defense counsel to coordinate Plaintiff's appearance by telephone.</i> |
|   | Date forwarded: <u>7/2/08</u>  |

**ORDER OF THE JUDGE / MAGISTRATE JUDGE**

**IT IS HEREBY ORDERED:**

- ☐ The document is to be filed nunc pro tunc to date received.
- ☒ The document is NOT to be filed, but instead REJECTED. and it is ORDERED that the Clerk serve a copy of this order on all parties.
- Rejected document to be returned to pro se or inmate? ☒ Yes. Court Copy retained by chambers ☐

Counsel is advised that any further failure to comply with the Local Rules may lead to penalties pursuant to Local Rule 83.1

CHAMBERS OF: Major

Dated: 7/18/08  
cc: All Parties

By: Law Clerk

1 WILLIAM JOHN DAUGHTERY

2 CDCR# F-79985

3 P.O. Box 2349/DIO-110UP

4 CHUCKAWALLA VALLEY STATE PRISON

5 BLYTHE, CALIFORNIA 92226

REJECTED

6  
7 UNITED STATES DISTRICT COURT  
8 SOUTHERN DISTRICT OF CALIFORNIA  
9

|                               |   |                                   |
|-------------------------------|---|-----------------------------------|
| 10 WILLIAM JOHN DAUGHTERY,    | } | CIVIL CASE NO. 08CV0408 WQH (BLM) |
| 11 PLAINTIFF,                 |   | MOTION AND REQUEST FOR            |
| 12 V.                         | } | ISSUANCE OF CIVIL SUBPOENA        |
| 13 DENNIS WILSON, S.D.P.,     |   | (DUCES TECUM) FOR PRODUCTION      |
| 14 ESMERALDA TAGABAN, S.D.P., |   | OF STATE PRISONER FOR             |
| 15 SGT. GRIFFIN, S.D.P.,      |   | PRE-TRIAL CONFERENCE,             |
| 16 DET. LEMUS, S.D.P.,        |   | F.R.C.P. RULE 45                  |
| 17 CITY OF SAN DIEGO,         | } |                                   |
| 18 SAN DIEGO POLICE DEPT.     |   | DATE: JUNE 25, 2008               |
| 19 DEFENDANTS                 |   |                                   |
| 20                            |   |                                   |

21  
22 I, WILLIAM JOHN DAUGHTERY, THE PLAINTIFF AND MOVANT  
23 IN THE ABOVE TITLED 42 USC § 1983 CASE, PRECEDING  
24 IN PRO SE AND FORMA PAUPERIS, DO HEREBY REQUEST  
25 AND WILE THAT THE COURT ORDER AND COMMAND  
26 THE WARDEN OF CHUCKAWALLA VALLEY STATE PRISON (OR  
27 HIS REPRESENTATIVE, LITIGATION COORDINATOR) TO  
28 PRODUCE THE MOVANT, A STATE PRISONER IN